

Translation

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PATENT COOPERATION TREATY

PCT



INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference PCT0318ND	FOR FURTHER ACTION		See Form PCT/IPEA/416
International application No. PCT/JP2003/013349	International filing date (day/month/year) 20 October 2003 (20.10.2003)	Priority date (day/month/year) 25 October 2002 (25.10.2002)	
International Patent Classification (IPC) or national classification and IPC G02B 5/30, G02F 1/1335			
Applicant NITTO DENKO CORPORATION			

<p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of <u>4</u> sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p>a. <input type="checkbox"/> (sent to the applicant and to the International Bureau) a total of _____ sheets, as follows:</p> <p><input type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).</p> <p><input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.</p> <p>b. <input type="checkbox"/> (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p>	
<p>4. This report contains indications relating to the following items:</p> <p><input checked="" type="checkbox"/> Box No. I Basis of the report</p> <p><input type="checkbox"/> Box No. II Priority</p> <p><input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</p> <p><input type="checkbox"/> Box No. IV Lack of unity of invention</p> <p><input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p><input type="checkbox"/> Box No. VI Certain documents cited</p> <p><input type="checkbox"/> Box No. VII Certain defects in the international application</p> <p><input checked="" type="checkbox"/> Box No. VIII Certain observations on the international application</p>	

Date of submission of the demand 01 April 2004 (01.04.2004)	Date of completion of this report 07 January 2005 (07.01.2005)
Name and mailing address of the IPEA/JP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/JP2003/013349

Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ This report is based on translations from the original language into the following language _____, which is language of a translation furnished for the purpose of:

- ☐ international search (under Rules 12.3 and 23.1(b))
☐ publication of the international application (under Rule 12.4)
☐ international preliminary examination (under Rules 55.2 and/or 55.3)

2. With regard to the elements of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:

☒ The international application as originally filed/furnished

☐ the description:

pages _____, as originally filed/furnished

pages* _____ received by this Authority on _____

pages* _____ received by this Authority on _____

☐ the claims:

pages _____, as originally filed/furnished

pages* _____, as amended (together with any statement) under Article 19

pages* _____ received by this Authority on _____

pages* _____ received by this Authority on _____

☐ the drawings:

pages _____, as originally filed/furnished

pages* _____ received by this Authority on _____

pages* _____ received by this Authority on _____

☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.

3. ☐ The amendments have resulted in the cancellation of:

☐ the description, pages _____

☐ the claims, Nos. _____

☐ the drawings, sheets/figs _____

☐ the sequence listing (*specify*): _____

☐ any table(s) related to sequence listing (*specify*): _____

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

☐ the description, pages _____

☐ the claims, Nos. _____

☐ the drawings, sheets/figs _____

☐ the sequence listing (*specify*): _____

☐ any table(s) related to sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**1. Statement**

Novelty (N)	Claims	4-7, 9-11, 13-15, 17-20	YES
	Claims	1-3, 8, 12, 16	NO
Inventive step (IS)	Claims	4-7, 13-15	YES
	Claims	1-3, 8-12, 16-20	NO
Industrial applicability (IA)	Claims	1-20	YES
	Claims		NO

2. Citations and explanations (Rule 70.7)

Document 1: JP, 8-184701, A (Nippon Telegraph and Telephone Corp.), 16 July, 1996 (16.07.96)

Document 2: JP, 2002-267842, A (Nippon Sheet Glass Co., Ltd.), 18 September, 2002 (18.09.02)

The subject matters of claims 1-3 do not appear to be novel or to involve an inventive step in view of document 1 or 2 cited in the ISR. As a matter of course, it is desirable that the transmittance of a polymer is larger. So, unless there is any special circumstance, it is considered that the transmittance of document 1 or 2 also satisfies the range specified in claim 1 of the present application, and even if this is not the case, a person skilled in the art could have easily employed the range. Furthermore, document 2 discloses the constitution in which the aspect ratio of fine metal particles is higher than 1 ([0049]) and the constitution in which the average particle size of fine metal particles is from 10 to 200 nm ([0069]).

The subject matters of claims 8-12 and 16 do not appear to be novel or to involve an inventive step in view of document 1 or 2. Since the polarizer disclosed in document 1 or 2 has also the same constitution as that of claim 1 of the present application, the former is considered to have the same function as that of the latter.

The subject matters of claims 17-20 do not appear to involve an inventive step in view of document 1 or 2. Every specified matter is well known.

The subject matters of claims 4-7 and 13-15 are neither described in any of the documents cited in the ISR nor obvious.

Box No. VIII Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

The subject matters of claims 9 and 10 have a polarizer specified by a function or action, but what particular mode can satisfy the function or action cannot be generally estimated, so the subject matters are unclear.